

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Leon M. Whitener,)	
)	C/A No. 4:16-1437-MBS
Plaintiff,)	
)	
vs.)	
)	ORDER
Carolyn W. Colvin, Acting Commission of)	
the Social Security Administration,)	
)	
Defendant.)	
_____)	

Plaintiff Leon M. Whitener brought this action to obtain judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's application for disability insurance benefits. By order filed December 9, 2016, and upon motion of the Commissioner, the case was reversed pursuant to sentence four of 42 U.S.C. § 405(g) and remanded to the Commissioner for further consideration.

This matter now is before the court on Plaintiff's motion for attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, which motion was filed January 6, 2017. Counsel moves for attorneys' fees in the amount of \$5,207.48. On January 18, 2017, the parties filed a Stipulation in which they agreed that Plaintiff should be awarded attorney's fees in the amount of \$4,700.00. The parties agreed that the award is without prejudice to the right of Plaintiff's counsel to seek attorney's fees under 42 U.S.C. § 406. The court finds the Stipulation to be reasonable. Accordingly,

Plaintiff's motion for attorney's fees under the EAJA (ECF No. 27) is **granted** in the amount

of \$4,700.00, to be paid directly to Plaintiff, as required by Astrue v. Ratliff, 130 S. Ct. 2521 (2010).

IT IS SO ORDERED.

/s/ Margaret B. Seymour
Senior United States District Judge

Columbia, South Carolina

January 19, 2017.